

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JERRY HOWATT,

Plaintiff,

v.

MICHAEL ASTRUE,  
Commissioner of Social Security,

Defendant.

CASE NO. C12-0327-RAJ-MAT

REPORT AND RECOMMENDATION

Plaintiff brought this action to seek judicial review of the denial of his application for Supplemental Security Income by the Commissioner of the Social Security Administration. The parties have now stipulated that this case should be reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g). (Dkt. 23.)

Based on the stipulation of the parties, the Court recommends this case be REVERSED and REMANDED for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). The parties stipulate that, on remand, the Administrative Law Judge will: (1) re-evaluate the medical source opinions of record, particularly the opinions by Dr. Jarvis and Dr. Gustafson; (2) recognize that plaintiff can only occasionally finger with his dominant

01 hand; (3) otherwise further consider plaintiff's residual functional capacity on an updated  
02 record, citing specific evidence in support of the assessed limitations; (4) further consider  
03 whether plaintiff has past relevant work he could perform with the limitations established by the  
04 evidence; (5) further consider, with the assistance of additional vocational expert testimony,  
05 plaintiff's ability to perform other work in the national economy; (6) follow Social Security  
06 Ruling 00-4p with respect to any vocational-expert testimony; and (7) consider, if available,  
07 new updated medical and other evidence. The parties agree that those other aspects of the  
08 ALJ's prior decision not specifically addressed in the stipulated motion to remand are not  
09 affirmed. Additionally, upon proper application, the Court will consider plaintiff's application  
10 for attorney's fees and expenses pursuant to 28 U.S.C. § 2412, and costs pursuant to 28 U.S.C.  
11 § 1920.

12         Given the above, the Court recommends that United States District Judge Richard A.  
13 Jones immediately approve this Report and Recommendation and order the case REVERSED  
14 and REMANDED for further administrative proceedings. A proposed order accompanies this  
15 Report and Recommendation.

16         DATED this 8th day of August, 2012.

17  
18 

19 Mary Alice Theiler  
20 United States Magistrate Judge  
21  
22